

BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: August 18, 2004
Bulk Item: Yes X No

Division: Growth Management
Department: Planning

AGENDA ITEM WORDING: Approval for an Affordable Housing Deed Restriction for one dwelling unit from Victoria Aleksandrowicz.

ITEM BACKGROUND: On March 24, 2004 the Planning Commission approved an allocation award for the applicant listed below provided the applicant's Affordable Housing Deed Restriction is approved by the BOCC. Victoria Aleksandrowicz submitted the Restrictive Covenant to Monroe County. The applicant is receiving a dwelling unit allocation award for the year ending July 13, 2004, has filed the document in accordance with Ordinance No. 47-1999.

PREVIOUS RELEVANT BOARD ACTION: On November 11, 1999, the BOCC adopted Ordinance No. 047-1999.

CONTRACT/AGREEMENT CHANGES: N/A.

STAFF RECOMMENDATION: Approval.

TOTAL COST: X

BUDGETED: Yes N/A No

COST TO COUNTY: N/A

SOURCE OF FUNDS: N/A

REVENUE PRODUCING: Yes N/A No AMOUNT PER MONTH N/A Year

APPROVED BY: County Atty X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL:

~~Timothy J. McGarry, AICP~~

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION: _____

AGENDA ITEM # 11

M E M O R A N D U M

TO:: Danny Kolhage, Clerk of the Court
FROM: Timothy J. McGarry, Growth Management Director *TM*
DATE: August 18, 2004
RE: Clarification of Agenda Item

Affordable Housing

Permit Number	Name on Agenda Item	Name on Restrictive Covenant	Legal Description
03-3-1774	Victoria Aleksandrowicz	Victoria Aleksandrowicz.	Lot 3, Block 14, Sexton Cove Estates- Resubdivision, Key Largo

MONROE COUNTY PLANNING DEPARTMENT AFFORDABLE HOUSING DEED RESTRICTION

STATE OF FLORIDA
COUNTY OF MONROE

Notice is hereby given that:

- I. I/We, Victoria Aleksandrowicz, a widow, the undersigned is/are the sole owner(s) of certain real property, situated, lying and being in Monroe County, State of Florida, described as follows:

Lot(s): 3, Block: 14 Subdivision: Sexton Cove Estates - Resubdivision

Key: Largo PB: 6-30

(If legal description is metes and bounds, attach a separate sheet)

Real Estate Number: 00532701.039200

- II. The residential unit Building Permit Number is 03-3-1774.
- III. Under the affordable housing provisions set for in Chapter 9.5 of Monroe County Land Development Regulations, the owner or owners of the above-described real property have been exempted from payment of "Fair Share Impact Fees" for a (check one): a single-family X, a multi-family unit, __, a mobile home __ to be constructed on said real property.
- IV. The annual adjusted gross income for the owner-occupied or tenant-occupied household does not exceed one hundred (100) percent of the median adjusted gross annual income within Monroe County.
- V. The rent (employee housing/tenant) will not exceed thirty (30) percent of the median adjusted gross annual income divided by 12 for households within Monroe County.
- VI. Under Monroe County Code Section 9.5-266, the affordable housing dwelling unit is restricted to a maximum of one thousand three hundred (1,300) square of feet habitable space for a period of at least fifty (50) years.

Real Estate No. # 00532701.039200

Affordable Housing Deed Restriction

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- VII. The applicant(s) have used the affordable housing program to gain additional points in the permit allocation system pursuant to Monroe County Section 9.5-122.3(6).
- VIII. The covenants shall be effective for fifty (50) years, but shall not commence running until a certificate of occupancy has been issued by the building official for the dwelling unit(s) to which the covenant or covenants apply. This deed restriction shall remain in effect for fifty (50) years regardless of the owner(s) or occupant(s) ability to comply or re-qualify on an annual basis or as otherwise may be required.
- IX. All of the restrictions herein shall be binding upon any transferees, lessees, heirs, assigns or successors in the chain of title.
- X. Monroe County may enforce this affordable housing deed restriction through any legal procedure available, whether at law or equity.

I/we certify that I/we am/are familiar with the information herein contained and that it is true and correct to the best of my knowledge and belief; and I/we will abide by the above stated restrictions pursuant to Monroe County Code Chapter 9.5 as may be amended from time to time.

WITNESSES:

Lydia A. Misura
(Signature)
LYDIA A. MISURA
(Print/Type Name)

OWNER OR OWNERS

Victoria Aleksandrowicz
(Signature) Victoria Aleksandrowicz

Address: PO Box 1801

Islamorada, FL 33036

Elizabeth H. Niesz
(Signature)
Elizabeth H. Niesz
(Print/Type Name)

VOID
(Signature) N/A

Address: _____

The foregoing instrument was acknowledged before me this 28 day of June, 2004 A.D. by Victoria Aleksandrowicz is/are personally known to me or has produced Barb Sig. Card. as identification.

My Commission Expires

MARY WEEKS
Notary Public - New Jersey
Middlesex County
My Commission Expires May 11, 2008

Mary Weeks
Notary Public (Signature)
Mary Weeks
Notary Public (Print Name)

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM

Date: 7.16.04

Real Estate No. # 00532701.039200

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